

REGULAR MEETING MINUTES

CITY COMMISSION

January 9, 2003

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Jack Quesinberry at 6:30 p.m. in City Hall Commission Chambers. The invocation and Pledge of Allegiance, as lead by Boy Scout Troop #210, were given.

PRESENT: Mayor Jack Quesinberry, Commissioners John Harriman, Mildred Dixon, Theo Graham and John Rees

Also Present: City Manager Hollis Holden, City Attorney Dykes Everett, City Clerk Kathy Montoya, Assistant to the City Manager Marshall Robertson, Utilities Director Charlie Tinch, Code Enforcement Manager Johnny Clark, Finance Director Mike Bollhoefer, Public Works Director Bob Smith, Fire Chief John Williamson, Human Resources Director Victoria Ward, Trailer City Manager Hughlan Martin, Recreation Supervisor Jay Conn, Deputy Fire Chief Tom Berrios, Police Chief Jimmie Yawn and Michael Laval of The West Orange Times

1. **APPROVAL OF MINTUES**

Motion by Commissioner Harriman to approve the minutes of December 12, 2002 as submitted. Seconded by Commissioner Dixon and carried unanimously 5-0.

2. Mayor Quesinberry announced the Delightful Decorating Contest winners:

	<u>First Place</u>	<u>Second Place</u>
Overall Timbercreek Drive South	Walter Morgan, E. Tilden Street	G. J. Casteel,
Best Theme Street (Present)	Robert Hood, S. Woodland Street	Maria Fata, Oakington
Most Original Laurel Drive	Jacob Brunson, 1150 Maxey Drive	Edward Bowman,

3. **PRESENTATIONS**

The three new Fire Department Lieutenants were introduced; Chris Baker, Brian Sanders, and Dan Rivenbark, with each being presented with their new badges. City Manager Holden

stated that as the City grows, the Fire Department must also expand and he anticipates more stations opening in the future. Everyone congratulated the new lieutenants.

Ms. Lennon Moore, the Planning and Public Transportation Manager of District 5 for the State Department of Transportation, gave a PowerPoint presentation summarizing the regional vision for transportation. The cost of congestion, per household, is \$1,495 per year and with a ½ cent tax, it would cost each household in Orange County \$87.23 a year. I-4 serves as the spine of transportation for this region and the proposed improvements to I-4 include six general use lanes and four special use lanes. While I-4 is being reconstructed, they have looked at travel alternatives such as improvements to John Young Parkway and SR434 from SR436 to Kissimmee; widening SR436 from SR528 to Curry Ford Road; SR417 from Seminole County to International Drive; and improvements to the Western Beltway. In closing, Ms. Moore stated that the region needs all the support and participation of the communities to meet the ever increasing demands on the transportation system. Ms. Moore asked the City Commission for a list of any concerns or questions they may have, and she will come back at a future date to address the specific concerns. Commissioner Harriman asked about the future plans for the county roads. Ms. Moore stated that she was only addressing the state roads and that Mr. Crotty, County Chairman, would have to address the county roads. Commissioner Dixon stated that in the past, when she was a member of the MPO Board, there were funds given to make improvements, which took many years to finish. Commissioner Graham stated that the interstate highways were originally built by the Federal government and he questions why the Federal government is not making the improvements. We are getting very little back from the Federal government for the amount of taxes being sent to them. Ms. Moore stated that Florida is considered a “donor” state and that the last bill signed got Florida 92 cents back for every dollar we put in, where in the previous bill we were only getting 87 cents back on the dollar. City Attorney Everett asked about the visioning relative to the non-roadway contribution and what studies have been done to show what is going to drive ridership. Ms. Moore stated that it is based on years of studies and on the studies that continue for the various systems. They are also looking at other travel modes as well, such as high-speed rail. Commissioner Rees stated that the West Orange area will need to change its thought process on the use of alternative modes of transportation. City Manager Holden asked Ms. Moore to provide the City with the current status of the proposed interchange on the Turnpike at CR 545. Ms. Moore stated she would provide the information requested and thanked everyone for the opportunity to share the vision.

4. **FIRST READING OF PROPOSED ORDINANCE:**

A. **Ordinance 03-02: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING CHAPTER 62 OF THE CODE OF ORDINANCES, CITY OF WINTER GARDEN, FLORIDA; PROVIDING FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVEWAYS AND PARKING LOTS; PROVIDING FOR VIOLATIONS; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE**

City Attorney Everett read Ordinance 03-02 by title only. Commissioner Graham asked if there was any particular reason the wording in Section 62-31 “but not limited to homeowners associations, corporate entities or individuals” was used instead of naming them all. Mr. Everett stated that the intent when drafting the ordinance was to include all

owners of any private street, driveway or parking lot. City Manager Holden stated that adoption of this ordinance will provide a mechanism for the city to require the owner of a private road, driveway or parking lot to maintain it at a certain standard. Mr. Everett stated that the others it could include, as currently worded, are a Florida general partnership, limited partnership, or a governmental entity. Commissioner Graham stated that he understood the intent of the Ordinance and agreed. **Motion by Commissioner Rees to approve Ordinance 03-02 and to schedule the public hearing for February 13, 2003. Seconded by Commissioner Harriman and carried unanimously 5-0.**

5. **REGULAR BUSINESS:**

- A. **Resolution 03-01: A RESOLUTION OF THE CITY OF WINTER GARDEN, FLORIDA, PETITIONING THE ORANGE COUNTY PUBLIC SCHOOL BOARD TO NAME THE NEW ELEMENTARY SCHOOL TO BE BUILT AT THE NORTHEAST CORNER OF NORTH DILLARD STREET AND COURTLEA OAKS BOULEVARD, WINTER GARDEN ELEMENTARY SCHOOL; PROVIDING AN EFFECTIVE DATE**

City Attorney Everett read Resolution 03-01 by title only. City Manager Holden stated the proposed resolution came about as a result of a conversation he had with Commissioner Rees and that if it is approved, he will transmit it to the Orange County School Board and the School Superintendent with a letter from him and the Mayor urging them to consider the request. **Motion by Commissioner Harriman to approve Resolution 03-01. Seconded by Commissioner Rees and carried unanimously 5-0.**

- B. **Recommendation to approve the reappointment of Code Enforcement Board members Bea Deariso and Joseph Skubas to a 3-year term**

City Manager Holden stated that both members have requested reappointment. **Motion by Commissioner Graham to reappoint Ms. Deariso and Mr. Skubas to a 3-year term on the Code Enforcement Board. Seconded by Commissioner Rees and carried 5-0.**

- C. **Recommendation to approve Change Order #8 to the Boyd Street Phase IV Rehabilitation Project in the amount of \$17,753.00**

Commissioner Graham asked if the reimbursed amount was reflected in the charges related to both the Vineland and Palmetto and the Vining and Woodland improvements. Public Works Director Smith stated yes, as the result of some damage done by another contractor to some pavement. **Motion by Commissioner Harriman to approve Change Order #8 to the Boyd Street Phase IV Rehabilitation Project in the amount of \$17,753.00. Seconded by Commissioner Dixon and carried 5-0.**

6. **MATTERS OF CONCERN FROM CITIZENS**

Mr. Don Miller, 1073 Woodson Hammock Circle, Winter Garden, Florida, stated that on behalf of the homeowners in Fullers Crossing, Crown Point East, and Tuscany, he wanted to thank everyone responsible for the opening of the new fire station by the water works.

7. **MATTERS FROM CITY ATTORNEY DYKES EVERETT:** None

8. **MATTERS FROM CITY MANAGER HOLLIS HOLDEN:**

A. **Request to hire an additional Police Officer and to purchase new vehicle to facilitate adopting a 10-hour shift rotation**

City Manager Holden stated the agenda package includes the detail on the proposed budget change for FY 2002/03 that includes authorizing an additional police officer, which would be paid for by salary savings from vacant positions, and the purchase of a new police vehicle, which would be paid for from impact fees. Commissioner Rees asked how many vacancies there are currently and how often during the year the positions are filled. Mr. Holden stated that there are five vacancies and when Dispatcher Evie Hill becomes an officer, there will be four vacant positions. During his nine years with the City, there has been one year in which all police officer positions have been filled, due in part to the standard problem for small communities to attract officers. **Motion by Commissioner Rees to hire an additional police officer and to purchase an additional police vehicle. Seconded by Commissioner Dixon and carried 5-0.**

B. **Request from West Orange Political Alliance Board for nominees to the Board**

As provided, the West Orange Political Alliance has requested nominees to the board for the upcoming year. Commissioner Graham asked if the Alliance, when making their endorsements, consider the political party. Mr. John Terrell stated that the board endorses who they believe is the best candidate, without considering the party affiliation.

C. **Financial Statement for November 2002**

Stated they have been provided and feel free to contact him with any questions.

- Stated that a request has been received from the West Orange Chamber of Commerce for the city to purchase a table for the Community Champion's Gala. In the past the city has purchased a corporate table. **Motion by Commissioner Harriman to purchase one corporate table for the Annual Community Gala on January 24, 2003. Seconded by Commissioner Dixon and carried 5-0.**

- Stated that he has also received a request from the Florida County and City Managers Association for a \$500 contribution because this year's conference in Daytona is in our district and the district members normally contribute to purchasing welcoming gifts, etc. **Motion by Commissioner Graham to donate \$500 to the Florida County and City Managers Association. Seconded by Commissioner Rees and carried 5-0.**
- Stated that he has received a phone call about the groundbreaking ceremony for the new library, which is scheduled for February 10, 2003. More information will be provided.

9. MATTERS FROM MAYOR AND COMMISSIONERS

Commissioner Dixon:

- Advised that Al Brooks, who was very active in helping the Recreation Department throughout his life, has passed away. She would like to have the City recognize his years of service to the community. City Manager Holden directed Jay Conn, Recreation Supervisor, to draft an item for recognition of Mr. Brooks' dedication to the community and youth programs.
- Stated that she and Ms. Wilder would be meeting with the City Manager to discuss the approved funding of their program at Maxey Center.
- Announced that there will be a midnight basketball game at Maxey Center on Saturday starting at 6:00 p.m. Also, she has taken pictures of the "lake" in the baseball park and sent them to the Community Action Board.

Commissioner Graham:

- Stated that he has received some phone calls about trucks going down Bay Street. Mr. Holden stated the trucks have been stopped until such time as the road is built.
- Stated that he has also received a call about a day care center going in on the corner of Brayton and Bay Street. Mr. Holden stated that is correct, it was previously approved by the Commission, and staff is working on the last item on the construction plans.

Mayor Quesinberry:

Reminded everyone about the Centennial Celebration for 2003 on January 17th at Tanner Hall.

The meeting was adjourned at 7:37 p.m.